



Interview Summary: Marlin Degrand, Government of Alberta

Background

Marlin Degrand is the Assistant Deputy Minister, Public Security Division and Director of Law Enforcement for Alberta Justice and Solicitor General (**JSG**). In this role, he oversees the public security portfolio for the Government of Alberta, which includes oversight of the broad range of law enforcement services in the province. As such he regularly liaises with law enforcement leadership on matters of public safety in the province.

During the protests that took place in January and February 2022, Mr. Degrand was the provincial Government's liaison with law enforcement agencies directly involved in responding to the events. To a limited extent, he was also engaged with federal Government officials, including Assistant Deputy Ministers of Transportation, Kevin Brosseau, and Public Safety, Talal Dakalbab.

Mr. Degrand was interviewed by Gabriel Poliquin and Jean-Simon Schoenholz on August 30, 2022. This Interview Summary reflects a summary of responses given to questions asked of Mr. Degrand during that interview. Questions about this summary should be directed to Jean-Simon Schoenholz.

Preparation for the Freedom Convoy

Within the province of Alberta there is a structured network of intelligence among law enforcement entities. They monitor social media for trends and intelligence that may identify a public order event of interest. This information is shared between law enforcement agencies (including the RCMP) and the Provincial Security Intelligence Office (**PSIO**), which is a branch of the Government of Alberta. In January 2022, the PSIO was monitoring chatter on social media concerning potential protests related to federal vaccination mandates for truckers.

According to Mr. Degrand, once intelligence had identified the risk of trucker convoys in Alberta, preparing a response was up to law enforcement. He cannot speak to the preparation of the RCMP or municipal police forces.

Throughout the protests, Mr. Degrand received regular briefings from the PSIO. He also received situational reports from Alberta's Sheriff Highway Patrol (**SHP**), provincial peace officers. He has no information, beyond that contained in the institutional report and the documents produced by the Government of Alberta, on the details of individual incidents reported to him by the PSIO or the SHP.

Mr. Degrand is aware of some threats made against public officials during the time of the protests. These threats were addressed by law enforcement. Mr. Degrand is not aware



of any other violence or threats of violence associated with the blockades. Mr. Degrand does not view it as appropriate to comment on any information he may have received regarding the cache of weapons discovered by the RCMP at Coutts, as the matter is before the courts and it is a matter more appropriately addressed by the RCMP.

The Blockade and Police Jurisdiction

Mr. Degrand explained that the primary blockade in the province was near the international border at the town of Coutts. The RCMP created a checkpoint at Milk River to better monitor the traffic going into Coutts. The RCMP explained that this was to deter people from reinforcing the primary blockade in Coutts. As a result of this checkpoint, protesters created a secondary, illegal blockade at the Milk River check point.

The primary blockade was on a provincial highway under provincial RCMP jurisdiction. The border is controlled by the CBSA. SHP are provincial peace officers. They are a separate entity from the provincial RCMP but worked under their direction during the protests.

The RCMP, as part of its negotiations, offered a legal protest site to protesters near the site of the illegal protest site in the vicinity of Milk River. This protest site was not occupied until after the disbandment of the primary blockade began on February 14, 2022. The legal protest site was occupied for several weeks thereafter.

The Alberta government worked with the CBSA to ensure alternate border crossings were available. In particular, hours of business at Del Bonita crossing were extended to ensure an alternate point of entry on the weekends. The Alberta government also engaged with US border control officials to coordinate on other issues, such as the inspection of livestock.

Negotiations with Protesters

RCMP led discussions with protesters. Mr. Degrand was informed that they were speaking to self-declared leaders on the ground in Milk River and Coutts. Protest leaders changed multiple times throughout the protests and which individuals were in a leadership position was not clear throughout.

On January 30, 2022, the RCMP advised the SHP that they would need assistance in trying to make a large number of arrests the next day.¹ Mr. Degrand understands that these arrests did not take place. An RCMP commander (to the best of Mr. Degrand's

¹ Email from Sheikh Farooq to Bob Andrews and others, January 30, 2022: ALB00001242.



recollection, Assistant Commissioner John Ferguson) explained to him that more moderate elements within the protest group had approached the RCMP and expressed their intent to become a lawful protest. The RCMP wanted to explore this opportunity.

Engagement with the Federal Government

Mr. Degrand's engagement with federal officials was focused on the province's request for tow trucks and tow truck operators, discussed below. Mr. Degrand is not aware of any interactions between the Government of Alberta and the Minister of Intergovernmental Affairs.

Mr. Degrand was never involved in any conversations with federal officials that involved a discussion of the use of the *Emergencies Act*. He has no information that it was raised with Alberta before February 14, 2022 during the First Ministers Meeting. Mr. Degrand has no additional information on the First Ministers Meeting beyond what is provided in Alberta's institutional report.

While Mr. Degrand acknowledges that the *Emergencies Act* may have had a deterrent effect on protesters, the Alberta government's position was that the *Emergencies Act* was not necessary as the Coutts border blockade was resolving prior to its invocation. Alberta objected to its invocation on this basis. Further, Alberta was of the view that the authorities it had were sufficient and were shown to be sufficient. The province was also concerned that the invocation of the *Emergencies Act* could further inflame protesters.

Towing Capacity

Mr. Degrand was advised by the RCMP that tow truck operators were reluctant to be seen to be acting in support of law enforcement and against the interests of the trucking community. Some operators indicated to the RCMP that they were being paid not to assist law enforcement. The RCMP sought the province's assistance in securing towing capacity.

The province of Alberta began by reaching out to tow truck operators within the province. When this failed, then they made a request to the federal government for the provision of tow trucks and tow truck operators, possibly through the Canadian Armed Forces (CAF).²

² Letter from Minister McIver, February 5, 2022: ALB0000097.



Alberta never received a formal response to this request. Through their conversations with federal officials, officials with the Alberta Government formed the impression that there was reluctance to offer such support. They understood from these discussions that no positive response to the request for assistance would be forthcoming.

The province instead turned to the market and was ultimately able to secure a number of tow trucks, which were made available to the RCMP.

Mr. Degrand confirms that there are measures available under Alberta's own emergency legislation to compel the provision and operation of tow trucks.³ However, his assessment was that given the tremendous defiance by tow truck operators in the province, they would not assist the RCMP even if compelled by legislation.

Enforcement

Mr. Degrand's understanding is that charges were laid in relation to the blockades under the *Criminal Code*, Alberta's *Traffic Safety Act* and the *Critical Infrastructure Defence Act (CIDA)*. Mr. Degrand pointed out that the use of authority under these statutes proved to be sufficient to end the blockades.

Alberta did not invoke its emergency legislation, the *Emergency Management Act*. Its invocation was considered, along with all other measures available to the Government of Alberta to assist in bringing the blockades to an end. A determination was made that it was not necessary to invoke the *Emergency Management Act*.

The Government of Alberta has developed a Blockade Response Plan to respond to protests and occupations on public lands and development areas.⁴ It is an internal policy that describes how Government of Alberta departments will respond to protest actions on public lands. The Plan speaks to the responsibilities of various government departments and how they interface with industry, communities, etc. The Blockade Response Plan was considered during these events, but deemed not relevant as it was primarily designed to address events of a different nature on public lands and had little to offer in this situation which Mr. Degrand described as "a law enforcement issue on a highway." Mr. Degrand described the Blockade Response Plan to be applicable to protests and occupations on Crown lands and development areas, generally when protests occur on public lands where public developments are being undertaken.

³ See *Emergency Management Act*, RSA 2000, ss. 19(1)(c),(d),(j), 19(1.1), 19(3), 24(1)(b), 24(1.1).

⁴ Blockade Response Plan: ALB0000226.



On request of the provincial RCMP, Alberta invoked article 9.1 of the Province of Alberta Provincial Police Service Agreement (**PPSA**)⁵ to ensure sufficient resources were available to the provincial RCMP. This provision allows for additional resources to be made available in times of extraordinary need. This allowed for RCMP officers from British Columbia to be dispatched to Coutts. The officers were only there temporarily to allow Alberta RCMP officers to benefit from a rest period. Once that was accomplished, the officers returned to British Columbia.

End of the Blockade

Mr. Degrand's understanding, based on discussions with the RCMP commanding officer Deputy Commissioner Curtis Zablocki, is that the arrests by the RCMP on February 14, 2022 were a turning point. These arrests caused protesters to bring an end to the blockades. The situation rapidly improved and returned to normal. There were no further disruptions.

Mr. Degrand's recollection is that by February 15, 2022 the Coutts blockade had diminished to such a point that traffic flow had returned to normal. Some protesters were occupying the designated lawful protest area at Milk River. While there was always a possibility that protesters would attempt another blockade, this was speculative and, to his knowledge, there was no intelligence indicating that this may occur.

⁵ Provincial Police Service Agreement, April 1, 2012: ALB00002044.